REMARKS

In the Office Action, the Examiner allowed claims 34, 40 44 and 49-55, and rejected claims 1-5, 28-33, 35-39, 45-48, and 56.

Claim 52 has been amended in accordance with the Examiner's suggestion. Claims 1-5 and 28-56 are pending in the application. Reconsideration of the application is respectfully requested based on the following remarks.

Specification

It is believed that the objection is overcome by the amendment made above.

Claim Objections

Claim 52 has been amended to overcome the objection.

Claim Rejections – 35 USC § 112

Although not expressly stated, there is support for an aluminum door in the specification. As stated in paragraph [0045], the access door when attached to the housing 12 acts like part of the housing 12, i.e., helps enclose the internal components. See also paragraph [0052]. Furthermore, as stated in paragraph, [0051], the housing 12 as well as the access door 14 may be configured to shield or block the emission of electromagnetic radiation, and the housing may be formed from an electrically conductive material itself as for example steel or aluminum. Accordingly, there is support for such a limitation and the rejection should be withdrawn.

Claim Rejections – 35 USC § 103

Claims 1-5, 28-29, 31-32, 35-38 and 40 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* (6,932,447) in view of *Lin* (6,824,174).

Claim 30 has been rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* (447) in view of *Lin* and further in view of *Chen* (6,917,518).

Claim 33 has been rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* (447) in view of *Lin* and further in view of *Huang* (US 2004/0085719).

Claim 39 has been rejected under 35 U.S.C. 103(a) as being unpatentable over *Chen* (447) in view of *Lin* and further in view of *Worley* (6,359,214) and further in view of *Radu* (6,542,348).

The Applicant maintains the arguments presented in the previous response with regards to independent claims 1 and 35. Particularly, that none of the references teach or suggest a quick release handle that is pivotally coupled to the housing. Additional arguments are presented below.

In the outstanding office action, the Examiner has taken the pivoting handle of Lin, which is located on a door, and combined it with the teachings of Chen to result in a housing side latching system which utilizes a pivoting handle. The Examiner asserts that it would be obvious to combine the teachings of Lin and Chen to provide an alternate equivalent means of operating the latching mechanism of Chen. The Examiner also asserts that the test is what the combined teachings of the reference would have suggested to those of ordinary skill in the art.

However, the mere fact that references can be combined does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. In particular, although Lin teaches that a pivoting handle was useful in his implementation, there is no teaching or suggestion in Lin or Chen that the pivoting handle would be useful in Chen's application. Yes, Lin teaches a pivoting handle 40, but Lin does not give any reason why or how it could be used in Chen. These parts simply cannot be added together without some modification. Its not as simple as connecting part A with part B. There simply is no motivation to use Lin's pivoting handle out of countless other latching mechanisms to implement a housing side latching mechanism.

In fact, Lin teaches away from Chen's application, which uses bent tabs, and locking slots. Lin states in the background, "Some electronic equipment enclosures adopt hooks to reduce or even eliminate the need for screws. Hooks formed on certain panels of the enclosure engage in recesses defined in other panels of the enclosure. Engaging forces between the hooks and the other panels at the recesses is generally large enough to ensure stability of the enclosure. However, panels of some large pieces of electronic equipment such as servers are quite thick, to prevent electromagnetic interference. These panels are correspondingly heavy, and the engaging forces of the hooks can be correspondingly high. This makes it difficult to manipulate the panels

by hand in assembly or disassembly. Thus, an engaging device for electronic equipment is desired to solve the above-mentioned problems." As should be appreciated, teaching away is the antithesis of the art suggesting that a person go in the claimed direction. See for example, In re Fine, 873 F.2d 1071, 5 USPQ 2d 1596 (Fed. Cir. 1988), which was quoted by the Examiner in the outstanding office action on page 18.

Accordingly, the rejection is improper and should be withdrawn.

It should also be pointed out that although the dependent claims should be withdrawn for the same reasons as the independent claims, they offer additional language that is unsupported by the art. For example,

Claim 29 specifically requires, a mechanism for transforming the rotary motion of the quick release handle into linear motion of the slider bar. It is not as simple as connecting the tongue of Lin with the locking hole of Chen as expressed by the Examiner. Further modification would be required. It is not as simple as connecting part A with part B. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 32 specifically requires, retention hooks positioned within the access opening, and hook receivers are positioned on an inner surface of the access door. In Chen, the locking bar at the rear plate and thus so are the locking slots. Furthermore, the bent tabs 83 engage the rear plate. In contrast, as shown in Figs. 2-5 of the present invention, the hook receivers and retention hooks are engaged in the access opening. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 36 specifically requires, a plurality of interior slots that are built into the inner surface of the access door. In Chen, the locking slots are not built into an interior of anything. They are simply cut outs in the locking bar. In contrast, as shown in Fig. 5 of the present invention, the slots are formed within the stiffener. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 38 specifically requires a stiffener that is attached to an inner surface of the planar access door. The stiffener relied upon by the Examiner, is not a separate piece attached to the inner surface of the door. Instead it is a bent portion of the door. In contrast, as shown in Fig. 5

of the present invention, the stiffener is a separate piece that is attached to the access door. Furthermore, because the door of Chen includes bent portions, it cannot be planar. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 45 specifically requires the interior surface of the access door having a flat edge portion and a raised portion inside the flat edge portion. In Chen, the opposite is true. Particularly, the bent portions are located at the edge of the flat portions. See for example the image of the Chen door reproduced in the outstanding office action. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 46 specifically requires first and second recessed portions. No such arrangement is taught in Chen. Accordingly, the rejection is unsupported by the art and should be withdrawn.

Claim 47 specifically requires inner and outer surface of the planar door being flat edge to edge. As shown in Chen, the door is not flat edge to edge since it includes bent portions. Accordingly, the rejection is unsupported by the art and should be withdrawn.

SUMMARY

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

Quin C. Hoellwarth
Reg. No. 45,738

P.O. Box 70250
Oakland, CA 94612-0250
(650) 961-8300